

# BELLSOUTH

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December 17, 2001

## WRITTEN EX PARTE

Ms. Magalie Salas  
Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: CC Docket No. 01-277

Dear Ms. Salas:

BellSouth is filing this letter in response to requests from Commission staff for a comprehensive summary of evidence propounded by BellSouth in support of its meeting checklist item 2 requirements, in particular, those related to integration of CLEC pre-ordering and ordering interfaces.

In accordance with Commission rules, I am enclosing two copies of this notice and ask that you include them in the record of the proceeding identified above. Thank you.

Sincerely,

  
Robert T. Blau

cc: Chairman Michael Powell  
Kyle Dixon  
Commissioner Kathleen Abernathy  
Matt Brill  
Commissioner Michael Copps  
Jordan Goldstein  
Commissioner Kevin Martin  
Monica Shah Desai  
Dorothy Attwood  
Jeffrey Carlisle  
Kathy Farroba  
Michele Carey  
Jessica Rosenworcel  
Susan Pié  
James Davis-Smith

## *The Integration Proof*

### *Introduction and Purpose*

Several parties as well as the FCC Commission Staff have questioned whether BellSouth has proven its case with regard to the checklist 2 requirement relating to the integration of pre-ordering and ordering. Below, BellSouth sets forth the checklist requirement, the evidentiary standard, as well as the evidence that has been submitted on the issue of integration by the commenting parties, as well as the Georgia and Louisiana Public Service Commissions. BellSouth firmly believes that the evidence on this issue clearly warrants a finding by the Commission that the integration requirement has been satisfied.

### *Checklist Requirement*

In its Texas Order, the Commission held that, in order for a BOC to demonstrate compliance with checklist item 2, it must enable competing carriers to transfer pre-ordering information (such as a customer's address or existing features) electronically into the carrier's own back office systems and back into the BOC's ordering interface. *Texas* ¶ 152. The Commission further clarified that a BOC has enabled successful integration if competing carriers may, or have been able to, automatically populate information supplied by the BOC's pre-ordering systems onto an order form (the 'local service request' or "LSR") that will not be rejected by the BOC's OSS systems.

The Commission further noted "we have not previously stated that a BOC must perform parsing on its side of the interface. Rather, we consider whether integration has been shown to be possible (or has actually occurred)." *Id. at fn. 413*. Accordingly, the checklist requirement relating to integration, as set forth in the Texas Order and followed in 271 Orders since, requires a showing that competing carriers have the ability to integrate, or have integrated the pre-ordering and ordering systems.

### *Evidentiary Standard*

In the Texas Order, the Commission set forth the analytical framework that it uses in assessing whether a BOC has demonstrated compliance with the checklist requirements. While the BOC at all times retains the ultimate burden of proof, the Commission has acknowledged that no finder of fact can expect proof to an absolute certainty. Thus, the BOC must prove each element only by a preponderance of the evidence, which generally means the greater weight of the evidence, or evidence that is more convincing than the evidence offered in opposition to it. *Texas at* ¶¶ 47-48.

For this particular requirement, it is BellSouth's burden to prove, by a preponderance of the evidence, that integration is possible, or has actually been achieved. BellSouth has proved both of these points by much more than a preponderance of the evidence. Indeed these elements have been proven by unchallenged evidence submitted by competing carriers themselves.

### *BellSouth's Prima Facie Case*

In its analysis, the Commission first determines whether the BOC has made a prima facie case that it meets the requirement. *Texas* ¶49. In order to make its prima facie case that a checklist requirement has been met, a BOC must plead, with appropriate supporting evidence, facts which, if true, are sufficient to establish that the requirement has been met. *Id.*

In its case as originally filed, BellSouth established that it had made available extensive information that makes integration possible. BellSouth established that it has made available a TAG pre-ordering interface that is capable of interacting on an integrated basis with its TAG and EDI ordering interfaces on a machine to machine basis. *Siacy Aff.* ¶¶ 32-38. BellSouth attached copies of its CSR Job Aid and its Pre-Ordering to Form Order Mapping Matrix instruction guide, which together constitute well over 100 pages of documentation available to CLECs<sup>1</sup> to guide them in integrating their pre-ordering and ordering interfaces.

In its initial filing, BellSouth also demonstrated, based on sworn testimony given at state 271 hearings, that DeltaCom, a CLEC, had integrated its pre-ordering and ordering functions in 2000. The truthfulness of this fact, which in and of itself is sufficient to demonstrate that integration has actually been achieved, has since been confirmed by DeltaCom. In its recent *ex parte*, DeltaCom has acknowledged on the record that it has "developed its own proprietary software that enables ITC DeltaCom to 'parse' pre-order information into English and to generate certain resale and UNE-P orders on an integrated basis." *CompTel/DeltaCom Ex parte 12-6-01*. ITC DeltaCom acknowledged that it used "BellSouth's business rules and API Guide" to develop its integration software. Indeed, while DeltaCom's late-filed evidence seeks to portray its efforts to integrate with BellSouth as more difficult than they would like, it ultimately does nothing more than corroborate BellSouth's proof submitted with its initial filing on October 2, 2001.

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<sup>1</sup> WorldCom maintains that this documentation was never provided to WorldCom. WorldCom 12-6 Ex Parte at 5. This is not correct. BellSouth notified carriers on February 28, 2001 that both of these guides would be available on March 30, 2001. The guides were published on the BellSouth Interconnection Services website (<http://www.interconnection.bellsouth.com/guides/index.html>) on that date. In addition, both of these guides have been attached to BellSouth's testimony filed in the state 271 proceedings beginning in April. WorldCom's excuse is indicative of its total lack of effort to utilize this information to accomplish integration. As part of its initial filing, BellSouth discussed a number of training courses relevant to integration, including a course specifically designed to explain the data format of CSRs.

In its initial filing, BellSouth also introduced substantial evidence from KPMG's Third Party Test in Georgia. The first set of relevant evidence from the KPMG test comes from KPMG's specific test of integration. The second set comes from KPMG's functional testing.

#### KPMG's Integration Testing

BellSouth's original filing in this case contained KPMG's Final Report on the Master Test Plan. In that report, KPMG stated that it successfully tested "the degree to which a CLEC could develop automated integrated transactions and to highlight any inconsistencies in the field name(s) and format between pre-order and order forms." *KPMG MTP Final Report at V-13*. While KPMG did find several minor inconsistencies in format, it found that all of the test criteria associated with its integration testing were satisfied. *Id. at V-A-28 through 31, V-B-27 through 30*. This integration test involved automatically populating LSRs with information from KPMG's databases, except for the specific pre-order query that was to be tested. The data in KPMG's database was obtained by parsing BellSouth CSRs and pre-ordering inquiries, as discussed below. KPMG added the data in the specific pre-ordering query field to be tested manually to the LSR. KPMG then submitted the LSR and monitored the progress of the LSR through BellSouth's OSS.

KPMG's integration test more than meets the integration testing precedents set out in the Commission's New York and Texas Orders. In New York, the Commission relied on KPMG's integration test. New York at ¶ 138. The New York test did *not* involve "automatically populat[ing] the pre-ordering data into the ordering interface." *Id.* In that test, "the information returned in the pre-order response was manually copied, without modifications, into the Local Service Request." *Id. at n. 414*.<sup>2</sup> KPMG then compared the field names and formats. At least in this phase of its test, it appears that KPMG did not actually submit integration test orders and monitor their progress through the OSS, as was done in the Georgia integration test.

KPMG's Georgia integration test also appears to be at least as rigorous as Telecordia's Texas test, and to meet the standard set out in the Texas order for integration testing. Texas at ¶ 159 n.431. That four-part standard requires that information be auto-populated into the LSR and that the LSR be submitted to the BOC. In the Georgia test, the LSR was auto-populated except for the specific pre-order field being tested. That single field was manually copied into the LSR. Further confirming the strength of the Georgia integration test, the test orders were submitted and KPMG received the anticipated responses. The Telecordia test that the Commission relied on in its Texas order did *not* involve the actual submission of test orders to the BOC. Texas Order at ¶ 159 n.430 ("Telcordia explains that, while it did not actually send test orders through the

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<sup>2</sup> KPMG "identified certain field name and format inconsistencies," but concluded that CLECs could program software to address those issues. *Id. at n. 414*.

editing process, it *visually* confirmed that each [address] element was in fact populated in its correct field").<sup>3</sup>

#### KPMG's Functional Testing

In addition to the specific integration testing described above, KPMG's methodology and functional testing also provide a second set of evidentiary facts proving that BellSouth has provided CLECs the ability to integrate. These facts were also part of BellSouth's original filing. In a nutshell, functional testing involved whether testing CLECs could integrate. The Master Test Plan document says that testing "activity is undertaken to simulate the system-related activities of a CLEC wishing to integrate the pre-order and order functions."<sup>4</sup> KPMG's functional test demonstrates that KPMG, acting as a CLEC, successfully integrated pre-ordering, ordering and backend systems.

As an initial matter, there is a distinction that needs to be understood between what KPMG tested as part of the Georgia MTP and STP, and the *methods* KPMG used to conduct those tests. The Master Test Plan clearly explained that the *methods* used by KPMG were defined to replicate the processes used by a CLEC to perform their normal business functions, and they are part of the general business knowledge shared by the Commission, CLEC, and ILEC participants in the tests. See *Master Test Plan Version 4.0, Appendix F, Tab 49, at V-2*.

Specifically, the *methods* used by KPMG for the functional testing done in the Georgia Third Party Test included the following steps:

1. As part of KPMG's preparation for the functional test, it obtained Customer Service Records (CSRs) from BellSouth for the testbed accounts.<sup>5</sup>

2. KPMG electronically took data from the CSRs, parsed the data, and created its own pre-ordering database (O&P\_PreCSR.mdb) for use in generating Local Service Requests (LSRs) for the functional test.<sup>6</sup>

3. KPMG electronically took data from its pre-ordering database, added other necessary information created by KPMG systems, and populated LSRs which were then submitted to BellSouth's systems. The data added from KPMG's systems included data content that must be generated by the CLEC, including such items as PON number and version, and contact numbers. The Master Test Plan document explained that "[o]rders will be submitted as both stand alone transactions and as integrated pre-order/order transactions. For a defined set of integrated transactions, information returned on the pre-

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<sup>3</sup> Telecordia's Texas test did reveal "several points" that required clarification of documentation. Telecordia did not review whether these clarifications were made. Texas Order at ¶ 158 n.429. Similarly, KPMG's Georgia integration test revealed several improvements to be made in BellSouth's integration documentation. BellSouth made these changes, however, as in Texas, they were not specifically reviewed by KPMG.

<sup>4</sup> See Master Test Plan Version 4.0, Appendix F, Tab 49, at V-2.

<sup>5</sup> Id. at V-4.

<sup>6</sup> Id. at IV-2, V-1-5, V-14-15, V-A-4 (showing file name for CSRs for EDI functional test), V-B-4 (showing file name for CSRs for TAG functional test).

order response will be used to populate fields on subsequent orders. This activity is undertaken to simulate the system-related activities of a CLEC wishing to integrate the pre-order and order functions.”<sup>7</sup>

4. The LSRs created above were submitted to BellSouth as part of two distinct portions of the test, the functional test and the integration test.

5. These tests differed slightly as described below.

Functional Test	Integration Test
Populate LSRs with ALL data needed from the KPMG pre-ordering databases	Populate the LSRs with data from KPMG pre-ordering databases, EXCLUDING the specific pre-ordering query data to be tested
	Obtain the specific pre-ordering query data to be tested from BellSouth
	Manually populate the specific pre-ordering query data on the LSR initially created for this test
Submit the LSR to BellSouth's OSS	Submit the LSR to BellSouth's OSS
Monitor the processing of the LSR	Monitor the processing of the LSR

6. In both cases, KPMG utilized pre-ordering data obtained from BellSouth, starting with the CSR and adding other pre-ordering data as necessary for the specific scenario being tested, to create an LSR and submit the LSR to BellSouth's systems.

KPMG's *methods* for creating and submitting the thousands of LSRs involved in the EDI and TAG functional testing also demonstrate that BellSouth's pre-ordering and ordering systems can be integrated, and that the CSR can be parsed to provide data to support that integration. The KPMG Final Report and documentation related to its successful integration effort were clarified by Michael Weeks during the meeting with FCC Staff on Wednesday, December 12, 2001.

This integration test methodology was set forth in the Master Test Plan from the beginning. CLECs had the opportunity to comment, and did in fact comment, on this methodology. See *Order Approving Supplemental Test Plan, Appendix F, Tab 62*; *Order Approving BellSouth's Third Party Testing Plan, Appendix F, Tab 31*. The Georgia Commission approved the entire Georgia test, with these comments in the record, on October 2, 2001. Moreover, the same methodology was used in the Supplemental Test Plan, about which the CLECs also took the opportunity to comment. See *Id.* The Georgia Commission approved the Supplemental Test Plan (with unrelated modifications) “[a]fter reviewing the proposed Supplemental Test Plan and after reviewing the Comments filed by interested parties.” See *Id.*

<sup>7</sup> See Master Test Plan Version 4.0, Appendix F, Tab 49, at V-2. KPMG followed the same process in conducting the functional tests for TAG pre-ordering. See *id.* at IV-2.

Based on the above, BellSouth clearly met its burden to plead, with appropriate supporting evidence, facts which, if true, would be sufficient to establish that competing carriers may, or have been able to automatically populate information supplied by BellSouth's pre-ordering systems onto an order form in satisfaction of the requirement as stated in the Texas decision.

*Additional Evidence in Support of BellSouth's Prima Facie Case*

In addition to the substantial evidence shown above, the Georgia Public Service Commission, with its significant experience in administering the Third Party Test and dealing with OSS issues over several years, found that CLECs not only have the ability to, but in fact have integrated. *Comments of the Georgia Public Service Commission at 87-88*. The Louisiana Public Service Commission also found, based on an extensive record, that CLECs were able to successfully integrate pre-ordering information into an order form, i.e., that CLECs were able to parse CSR data themselves. *Louisiana Public Service Commission Evaluation at 33; Staff Final Recommendation at pgs. 46-49*

BellSouth's showing on integration was not subject to serious opposition in either the Georgia or Louisiana 271 proceedings. For example, in its initial comments in the Georgia 271 proceeding, filed on May 31, 2001 (after its launch into the residential market in Georgia), MCI identified four OSS problems, which, according to MCI, "if not corrected, will impede, if not foreclose, MCI's ability to increase activity to full commercial volumes"; the alleged inability to integrate pre-ordering and ordering functionality or alleged problems with integration were never mentioned.<sup>8</sup>

The only CLEC to address the integration issue in its initial comments filed on May 31, 2001 was AT&T. AT&T complained that BellSouth did not provide CLECs with parsed CSR data and alleged an incompatibility between pre-ordering and ordering data requirements. *Affidavit of Jay Bradbury*, Docket 6863-U, ¶¶ 25-26. According to AT&T, these two alleged "deficiencies significantly reduce the level of integration that CLECs can achieve ...," *Affidavit of Jay Bradbury*, Docket 6863-U, ¶ 27, although AT&T never alleged that it was unable to integrate pre-ordering and ordering functionality.

The evidence offered by BellSouth on the integration issue was unchallenged by any CLEC participating in the Georgia proceeding. In its reply comments, MCI did not refute any of BellSouth's evidence that pre-ordering and ordering functions can be and have been integrated, although MCI urged the Georgia Commission to require BellSouth

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<sup>8</sup> MCI's Initial Comments at 3 ("In order of priority, these OSS problems include (1) excessive manual handling that has led to more than 300 incorrectly rejected orders; (2) failure to provide a list of remote call forwarding access numbers that MCI can incorporate into its systems; (3) in at least two cases, customers' loss of dial tone during migration; and (4) orders being rejected because of local "PIC freezes") (citations omitted).

"to allow ordering based on the customer's name and telephone number" and to "provide a fully fielded and parsed CSR." *Reply Affidavit of Sherry Lichtenberg*, ¶ 22. AT&T likewise ignored BellSouth's evidence on integration, merely reiterating the same points about parsed CSRs from its initial comments. AT&T Reply Comments at 22.

Similarly, in Louisiana, only AT&T raised integration as an issue. AT&T has no significant local competition activities in Louisiana. None of the operating CLECs in Louisiana, including WorldCom, raised integration as an issue.

WorldCom and AT&T have confirmed the ability to integrate and automatically populate address information using BellSouth's RSAG database. *See Lichtenberg, et al Reply Aff. ¶ 31: BellSouth Nov. 29 Ex parte at Tab 13, p. 166 Ky. 271 Transcript (AT&T admits address integration.)*

Finally, several CLECs supported BellSouth's OSS claims and the ability to integrate in their initial comments. NewSouth and BTI filed comments in support of BellSouth's application. Both noted that BellSouth's OSS were adequate to meet the requirements of CLECs seeking to compete in the local market and to meet the requirements of section 271.

El Paso Networks, LLC, PacWest Telecomm, Inc. and US LEC Corp complain about the lack of parsed CSR, but indicate that by spending the time and resources they have been able to integrate pre-ordering information. *Comments of El Paso, PacWest, and US LEC Corp., at 29*. The Comments of Mpower, Network Plus, and Madison River virtually mirror those of El Paso Networks. *Comments of Mpower, Network Plus, and Madison River at 7-8*.

#### *Commenters' Filings in Opposition to BellSouth's Prima Facie Case*

In opposition to this direct evidence that competing carriers can integrate, and indeed have successfully integrated, pre-ordering and ordering and automatically populate information from BellSouth's pre-ordering databases onto the LSR, not one commenter stated that it had attempted to utilize the information provided by BellSouth but had been unable to integrate. Rather, those few commenters that weighed in on the subject focused more on the absence of a parsed CSR, which by the clear terms of the Texas order is not an element of proof with regard to this requirement.

For example, paragraph 15 of WorldCom's original Lichtenberg, *et al.* affidavit states, in entirely conclusory fashion and without any factual support, that "CLECs cannot take the information on the CSR and use it directly to populate an order." While WorldCom asserts that this is "quite difficult in general and particularly difficult with respect to a customer's address," it never states that it has actually tried to accomplish integration and failed. In fact, in its recent *ex parte* WorldCom admits that it has not expended development resources to build integrated pre-ordering and ordering interfaces. *WorldCom ex parte, 12/14/01 at 4; see also Lichtenberg, et al Reply Aff. ¶ 31*.



In its Comments and Affidavit, AT&T's entire discussion of integration is criticizing BellSouth for not providing a parsed CSR, and makes no allegation that AT&T has been unable to do so, despite attempts, to integrate pre-ordering and ordering. *AT&T Comments at 19-20; Declaration of Jay M. Bradbury at ¶¶ 27-40.* In its Reply case, AT&T asserts that the development of a parsed CSR would be difficult for CLECs. *Reply Declaration of Jay M. Bradbury ¶ 5.* Again, AT&T does not state that it has tried to integrate but failed, and does not contest the fact that other CLECs have in fact successfully integrated pre-ordering and ordering.

No commenter submitted any evidence to rebut (1) BellSouth's assertion that competing carriers, including DeltaCom, can and have been able to integrate pre-ordering and ordering, (2) KPMG's test finding that competing carriers have the capability to develop automated integrated transactions from BellSouth's pre-ordering to the ordering form, or (3) the findings of the Georgia and the Louisiana Public Service Commissions that competing carriers have integrated pre-ordering and ordering.

#### *The Additional Evidence*

At a November 20, 2001 meeting, the FCC Staff expressed concerns about BellSouth's showing on the integration issue. In response, BellSouth contacted several competing carriers and secured letters from three competing carriers who have actually integrated pre-ordering and ordering functionality.

GoComm filed an *ex parte* confirming that, using Exceleron software, it is "able to take information obtained from BellSouth's TAG pre-ordering interface and electronically complete a LSR that can be submitted to BellSouth through its TAG ordering interface, as well as populate its own internal systems, all with minimal human intervention." *GoComm ex parte, 11-28-01.*

Momentum Business Solutions, another competing carrier, also confirmed that it "has been able to integrate BellSouth Telecommunications, Inc.'s TAG pre-ordering and EDI ordering interfaces." Momentum further confirmed that it has been able to parse the customer service record received from BellSouth, enter it into its local database, and utilize the information to populate an LSR. *Momentum ex parte, 12-4-01.*

Finally, Access Integrated Networks has confirmed that, using self-developed software, it has been able to successfully integrate TAG pre-ordering and ordering interfaces. Access Integrated explained that it "is able to take information obtained from BellSouth's TAG pre-ordering interface and electronically complete an LSR that can be submitted to BellSouth as well as populate its own internal systems, all with minimal human intervention." *Access Integrated Networks ex parte, 12-6-01.* Access Integrated

is "able to parse the CSR information received from BellSouth, enter it into its local database and use that information to populate an LSR." *Id.*<sup>9</sup>

Importantly, even prior to the filing of this additional material, BellSouth, as well as the Georgia and Louisiana Commissions, had clearly submitted evidence satisfying the prima facie proof requirements. The fact that competing carriers can integrate and, in fact have integrated, was established well before these CLECs submitted their additional proof of this fact. Commenters had filed negligible evidence in opposition to the prima facie evidence. Thus, the Commission can and should find that BellSouth has met its burden regarding this checklist requirement, even if the additional evidence is disregarded entirely.

This additional evidence clarifies BellSouth's initial filing and claim that CLECs can integrate. The additional evidence shows that BellSouth's claim that CLECs can integrate by using BellSouth's documentation and investing some effort of their own is absolutely correct. This evidence also demonstrates that the Georgia and Louisiana Commissions' comments that competing carriers can integrate and have integrated pre-ordering and ordering in full satisfaction of the Commission's requirement as set forth at paragraph 152 of its Texas order were also correct.

The submission of additional evidence in response to CLEC comments and an FCC Staff request to provide further support for a showing made in an initial application fully accords with this Commission's precedents and rules. *See, e.g., Texas Order 42; New York Order 34.* Indeed, in finding that SWBT enabled integration in the Texas Order, the Commission relied on substantive letters filed by Telcordia and by a CLEC two weeks before approval. Those letters clarified key issues, including whether Telcordia's integration testing of the EDI pre-ordering interface applied to the separate DataGate interface that SWBT was relying upon.

#### *WorldCom's Submissions*

Recently, WorldCom has submitted *ex parte* material attempting to rebut BellSouth's proof regarding the ability of competing carriers to integrate pre-ordering and ordering. While lengthy, this material is more noteworthy for what it does not say than what it does. In all of its lengthy submissions, WorldCom did not, and indeed cannot rebut the following evidence that demonstrates that competing carriers can, and indeed have integrated pre-ordering and ordering consistent with the requirements of the Texas order:

1. WorldCom did not and cannot dispute the fact that at least four competing carriers have integrated pre-ordering and ordering, using the information and assistance provided by BellSouth.

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<sup>9</sup> Access Integrated's experience is actual commercial usage of a process that is strikingly similar to the methodology employed by KPMG in its test.

2. WorldCom did not and cannot rebut the findings of the Georgia and Louisiana Public Service Commissions that competing carriers have integrated pre-ordering and ordering functionality.
3. WorldCom did not and cannot rebut the findings of KPMG that competing carriers have the ability to develop automated integrated transactions.

Moreover, WorldCom still does not try to show that it has made any significant attempt to accomplish integration.

### *Conclusion*

The record in this case supports a finding by the Commission that competing carriers have been enabled to, and have successfully integrated. The only neutral entities that have reviewed this issue (the Georgia and Louisiana Commissions and KPMG) unanimously concluded that integration was possible, and has actually occurred.

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